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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 _____) Case No.: 2:17-cv-00773
10 **JILL SULLIVAN,**) **COMPLAINT;**
11 Plaintiff,) FAIR DEBT COLLECTION PRACTICES
12 vs.) ACT (15 U.S.C. § 1692a, *et seq.*);
13) DEMAND FOR JURY TRIAL
14 **FINANCIAL CREDIT SERVICE, INC.,**)
15 **dba ASSET RECOVERY ASSOCIATES,**)
16 Defendant.)

17 **I. INTRODUCTION**

18 1. This is an action for damages brought by an individual consumer for Defendant's
19 violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter
20 "FDCPA").
21

22 **II. JURISDICTION**

23 2. Plaintiff's claim for violations of the FDCPA arises under 15 U.S.C. § 1692k(d),
24 and therefore involves a "federal question" pursuant to 28 U.S.C. § 1331.
25

26 **III. PARTIES**

27 3. Plaintiff, Jill Sullivan ("Plaintiff"), is a natural person residing in King County,
28 Washington.

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1 4. Defendant, Financial Credit Service, Inc., dba Asset Recovery Associates
2 (“Defendant”), is a corporation engaged in the business of collecting debts by use of the mails and
3 telephone. Defendant regularly attempts to collect debts alleged due another.
4

5 **IV. FACTUAL ALLEGATIONS**

6 5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

7 6. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

8 7. All activities of Defendant set out herein were undertaken in connection with the
9 collection of a “debt,” as defined by 15 U.S.C. § 1692a(5).
10

11 8. Within the last year, Defendant took multiple actions in an attempt to collect a debt
12 from Plaintiff. Defendant’s conduct violated the FDCPA in multiple ways, including the following.

13 9. Threatening to take an action or actions that cannot be legally taken or that
14 Defendant did not intend to take, including threatening to place a lien on Plaintiff’s property and
15 file suit against Plaintiff, where Defendant had no intention of doing either (§ 1692e(5)).
16

17 10. As a result of the aforementioned violations, Plaintiff suffered and continues to
18 suffer injuries to Plaintiff’s feelings, personal humiliation, embarrassment, mental anguish and
19 severe emotional distress.

20 11. Defendant intended to cause, by means of the actions detailed above, injuries to
21 Plaintiff’s feelings, personal humiliation, embarrassment, mental anguish and severe emotional
22 distress.
23

24 12. Defendant’s actions, detailed above, were undertaken with extraordinary disregard
25 of, or indifference to, known or highly probable risks to purported debtors.

26 13. To the extent Defendant’s actions, detailed in paragraphs above, were carried out
27 by an employee of Defendant, that employee was acting within the scope of his or her employment.
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COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT

14. Plaintiff reincorporates by reference all of the preceding paragraphs.

15. The preceding paragraphs state a *prima facie* case for Plaintiff and against Defendant for violations of the FDCPA.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages pursuant to 15 U.S.C. 1692k;
- C. Statutory damages pursuant to 15 U.S.C. § 1692k;
- D. Costs, disbursements and reasonable attorney's fees for all successful claims, and any unsuccessful claims arising out of the same transaction or occurrence as the successful claims, pursuant to 15 U.S.C. § 1692k; and,
- E. For such other and further relief as may be just and proper.

PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

Dated this 19th day of May, 2017.

By: s/Joshua Trigsted
Joshua Trigsted, WSBA#42917
Attorney for Plaintiff

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